

### **REMARKS**

Claims 3, 7, 9 and 10 are canceled without prejudice or disclaimer. New claims 13 and 14 are added. Therefore, claims 1, 2, 4-6, 8 and 11-14 are the claims currently pending in the Application.

Support for new claims 13 and 14 is found, for example, on page 7, lines 11- 27 of the Specification.

### ***Formal Matters***

Applicant thanks for the Examiner for acknowledging the claim for foreign priority and the receipt of the priority document.

Further, Applicant thanks the Examiner for acknowledging review and consideration of the references cited in the Information Disclosure Statement filed May 11<sup>th</sup>, 2001.

### ***Objections to the Specification and the Drawings***

The Examiner objected to the Specification on the grounds that the Specification does not include section headings. Applicant respectfully declines to add section headings as they are not required under MPEP Section 608.01(a). The Examiner is respectfully requested to withdraw the objection to the Specification.

The Examiner objected to the Drawings on the grounds that Figure 1 fails to show the elements 2-7 with the labels described in the Specification. One sheet of proposed corrected Drawings (Figure 1) is filed herewith. The Examiner is respectfully requested to approve the proposed corrected Drawings.

***Claims 1-12 are rejected under 35 U.S.C. Section 102(e)***

Claims 1-12 are rejected under 35 U.S.C. Section 102(e) as being anticipated by Abbot, U. S. Patent Publication No. 2002/0032689. This rejection is traversed.

Independent claims 1 and 12 are amended to clarify features recited thereby. No new matter is introduced by these amendments.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious from the prior art, including Abbot. By way of example, independent claims 1 and 12 require automatically searching, upon capture of the captured image, for at least one previously captured image matching the captured image.

Abbot discloses storing and recalling information to augment human memory, such that a recall tag is associated with a group of stored data to facilitate later retrieval (Abbot, Abstract). In particular, Abbot discloses: that a user may store different types of information, such as video or audio data, and associate the stored data with an input recall tag, and later retrieve the stored data using the associated recall tag (Abbot, column 1, paragraph 6); that the user initiates recall of the data stored by indicating a subject or inputting the recall tag, which is then matched with the recall tag associated with the stored data (Abbot, column 1, paragraph 7; Figures 4 and 5); that the system can automatically determined a recall tag based on a person's name, current date and time, or an approximate age of a person in an image (Abbot, column 3, paragraph 31); that the system can activate a state recall routine based on state recall rules set in advance (Abbot, column 18, paragraphs 128 and 129; Figures 18A and 18B).

Abbot does not disclose or suggest searching for at least one previously captured image matching the captured image, as *inter alia*, required by independent claims 1 and 12. Abbot does not disclose or suggest matching an image with a second image to retrieve image data. Since Abbot does not disclose or suggest such image matching, Abbot is incapable of disclosing or suggesting searching for at least one previously captured image matching the captured image.

In fact, Abbot belongs to the prior art recognized by Applicant's disclosure because Abbot relies on the recall tag entered by the user or generated by the system. Thus, Abbot does not disclose or suggest the problem recognized by Applicant's disclosure, let alone disclose or suggest the solution provided by Applicant's claimed invention. Therefore, the Examiner is respectfully requested to withdraw the rejection.

Claims 2, 4-6, 8 and 11 depend from independent claim 1, and thus incorporate novel and nonobvious features thereof. Therefore, claims 4-6, 8 and 11 are patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejection and allow the Application. Should the Examiner have

any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script that reads "George Brieger".

George Brieger  
Registration No. 52,652

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343, Ext. 503

GB:eg

Enc. - Replacement drawing sheet